

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

May 11, 1978
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Councilmembers Goodman, Himmelblau,
Mullen, Snell

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

INVOCATION

Reverend Jack Hooper, Tarrytown Methodist Church, gave the Invocation.

ACTRESS SANDY DENNIS RECEIVES KEY TO CITY

SANDY DENNIS, who is currently appearing at the Country Dinner Playhouse, received an honorary citizen certificate and a key to the City from the Mayor. Ms. Dennis received them with her appreciation.

JIM TOLBERT DAY

According to a proclamation read by Mayor McClellan, Austin High School faculty, staff, students and friends, will pay tribute to James Tolbert on the eve of his retirement May 19, 1978, therefore that day has been proclaimed Jim Tolbert Day. The proclamation was accepted on his behalf by RONNIE MUELLER, Hall of Honor Chairman, Austin High School.

CIRCUS OF PEOPLE DAY

Circus of People Day will be observed May 14, 1978, with fun and "new games" at Zilker Park sponsored by Austin Hunger Project and supported by Austin Parks and Recreation Department. Councilmember Goodman read the proclamation, which was accepted by a group in attendance in the Council Chambers who demonstrated, with Councilmembers, how to try to break a lap-sitting record. MS. MARGURITE SNYDER, spokeswoman for the Austin Hunger Project, accepted the proclamation with her thanks.

FIRE SERVICE RECOGNITION AND MEMORIAL SUNDAY

A proclamation read by Councilmember Snell, designates May 21, 1978, as Fire Service Recognition and Memorial Sunday. Chief Kirkham, Austin Fire Department, accepted the proclamation with his thanks, on behalf of the fire fighters of Austin.

FIESTA WEEK

MS. ANN COOPER was in the Council Chamber to accept a proclamation from Mayor McClellan, setting aside the week of May 15-21 as Fiesta Week. Ms. Cooper thanked the Mayor for the proclamation.

HISTORIC LANDMARK CERTIFICATES OF COMMENDATION

Mayor McClellan read and presented Certificates of Commendation to the following people who own or represent buildings or homes in Austin designated as a historic landmark:

Mr. and Mrs. Joseph Hart, 1403 West 9th, Ben Pillow House
Mrs. Cater H. Joseph, T. V. Davis Homestead and Old Depot Hotel
Dr. and Mrs. James Fox, 610 West Lynn, Shieks-Robertson House
Mrs. Alterend M. Craig, 1809 Pennsylvania, Thompson Home
Mr. Britt Kenard, 6701 Lexington Road, Quast Building
Mr. David Michael Segrest, Acting Director, Austin Parks & Recreation
Department, Esperanza School, Swedish Log Cabin, and Madison Log
Cabin
Mr. Sidney B. Grief, 4401 Avenue A, Walton-Joseph Building

MS. INA RAY SMITH commented on the Historic Landmark Week which had been observed the previous week according to a proclamation read at that time by Mayor McClellan.

Councilmember Himmelblau requested that Dr. and Mrs. Engerson, who donated the Esperanza School to the City, receive a copy of the Certificate of Commendation for the school.

APPROVAL OF MINUTES

Councilmember Himmelblau moved that the Council approve the Minutes for Special Meetings of April 26, 1978 and May 3, 1978 and the Regular Meeting of May 4, 1978. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau, Mullen, Snell

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

BOARD AND COMMISSION APPOINTMENTS

Mayor McClellan announced that the following appointments might possibly be made at the next Council Meeting, May 18, 1978. They are as follows:

Joint Airport Zoning Board - 1

Board of Adjustments Assembly Committee - 1 member from Zone 8

Building Standards Commission - 1 real estate broker

On-Going Goals - 1

Parks and Recreation - 3

Building Code Board of Appeals - 1

Manpower Advisory Planning Council - 1

Citizens' Board of Natural Resources and Environmental Quality - 1

Vending Commission - 4

Human Relations Commission - 1

Commission on Status of Women - 2

Board of Equalization - 3

Urban Renewal Board - 3

FAYETTE PLANT CAPITAL IMPROVEMENTS

Councilmember Snell moved that the Council adopt a resolution to ratify the resolution previously passed by the City Council dated June 9, 1977, with balance of the proposed easements more specifically defined, CAPITAL IMPROVEMENTS PROGRAM, ELECTRIC POWER TRANSMISSION LINES RIGHT-OF-WAY EASEMENT ACQUISITION (FAYETTE PLANT TO AUSTROP SUBSTATION). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

PLEASANT VALLEY ROAD PROJECT

Councilmember Snell moved that the Council adopt a resolution to acquire certain land for PLEASANT VALLEY ROAD PROJECT, C.I.P. No. 75/60-08:

Lot 2, Block 4, I. P. Jones Subdivision (Eloisa G. Martinez)

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

EASEMENTS RELEASED

Councilmember Snell moved that the Council adopt a resolution to release the following easements:

Three (3) Public Utility Easements being all of the west five (5.00) feet of the south 353.71 feet of Lot 2; and all of the south five (5.00) feet of Lot 2; and all of the East five (5.00) feet of the south 338.71 feet of Lot 2, Woodward Industrial District, in the 200 block of Ben White Boulevard. (Requested by Mr. Richard Dorrell, owner)

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to release the following easement:

A seven and one-half (7.50) foot Public Utility Easement on the west property line of Lot 12, Shiloh Subdivision, Phase I, locally known as 2303 Shiloh Drive. (Requested by Mr. Joe Gilbreth)

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

APPROACH MAIN CONTRACT

Councilmember Snell moved that the Council adopt a resolution to authorize the following Approach Main contract:

BILL MILBURN, INC.

- Construction of an 8 inch wastewater main to serve Milwood Section 3.
(Estimated cost participation by the City \$5,530.00)

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

COST DIFFERENCE

Councilmember Snell moved that the Council adopt a resolution to authorize the following payment:

N.P.C. REALTY COMPANY

- The cost difference of 12"/8" water mains installed to serve Gracywoods Section One Subdivision - \$21,121.07.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to authorize the following payment:

CONANN DEVELOPMENT COMPANY

- The cost difference of 12"/8" water line installed to serve the Woodcliff Subdivision - \$14,827.89.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

TEMPORARY STREET CLOSING
LAGUNA GLORIA FIESTA

Councilmember Snell moved that the Council adopt a resolution authorizing the temporary closing of 35th Street at the intersection of Balcones, Foothill Drive at intersection of Foothill Parkway, and Mt. Bonnell Drive at the Water Treatment Plant near the bridge, from 5:30 p.m. to 11:30 p.m., Friday, May 19, 1978; 7:00 a.m. to 11:00 p.m., Saturday, May 20, 1978; and 7:00 a.m. to 11:00 p.m. Sunday, May 21, 1978, as requested by Mr. Scott Keller, representing the Women's Arts Guild/Laguna Gloria Fiesta. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

AGENDA ITEM WITHDRAWN
AIR COMPRESSORS

Consideration of approval of the following contract was withdrawn from the agenda:

CONLEY-LOTT-NICHOLS MACHINERY
5300 SE Loop 410
San Antonio, Texas

- Three 175 CFM Air Compressors,
Vehicle and Equipment Services Dept.
Item 1 - 3 ea. @ \$7,670
Total \$23,010.00

CONTRACTS APPROVED

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

POTTERS INDUSTRIES
Cross Plains Highway
Brownwood, Texas

- Reflective Glass Spheres, Urban
Transportation Department.
Twelve Month Supply Agreement -
\$5,504.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

GENERAL ELECTRIC SUPPLY COMPANY
7521 North Lamar
Austin, Texas

- Emergency Purchase of Materials
and Services, Water and Wastewater
Department.
1 Motor Controller - \$10,700.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

COURTESY DODGE, INC.
7309 North Interregional
Austin, Texas

- One Utility Vehicle, Vehicle and
Equipment Services Department
Item 1 - \$6,941.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

M. E. RUBY, JR., INC.
Lime Creek Road
Austin, Texas

- Flexible Road Base, Street and Bridge
Twelve Months Supply Agreement
Items 1-4 - \$120,750.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved tht the Council adopt a resolution to approve the following contract:

AMERICAN PETROFINA COMPANY
P. O. Box 2159
Dallas, Texas

- Latex Modifier, Street and Bridge
Division
Twelve Months Supply Agreement
Item 1 - \$13,926.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

LEHIGH STRUCTURAL STEEL COMPANY 1 Allen Street Allentown, Pennsylvania	- CAPITAL IMPROVEMENTS PROGRAM - Steel Transmission Line Towers, Electric Department Items 1 through 18 - \$464,761.00 C.I.P. No. 77/15-03
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

GENERAL ELECTRIC COMPANY 1600 NE Loop 410 San Antonio, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Five Groups of Protective Relays, Electric Department Item 1 - \$83,621.65 C.I.P. Nos. 76/35-09, 77/35-05 and 77/35-06
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

WESTINGHOUSE ELECTRIC CORPORATION 201 North St. Mary's Street San Antonio, Texas	- CAPITAL IMPROVEMENT PROGRAM - Network Protectors and Network Transformers, Electric Department Item 1 & Item 1-5 - \$549,463.00 C.I.P. No. 75/30-02
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

ROBERT C. GRAY CONSTRUCTION
COMPANY
2007 Rutland Drive
Austin, Texas

- CAPITAL IMPROVEMENTS PROGRAM -
Model Cities Street and Drainage
Improvements, Model Cities 4th
Year - \$58,512.70. C.I.P. No.
76/62-15

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

Councilmember Snell moved that the Council adopt a resolution to approve the following contract:

STIEFER PAINTING AND CONTRACTING
COMPANY, INC.
903 Wagon Trail
Austin, Texas

- Austin Recreation Center Exterior
Repainting - \$5,872.00

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

FOLK AND ETHNIC MUSIC FESTIVAL

Councilmember Snell moved that the Council adopt a resolution to enter into an agreement with the National Endowment for the Arts for funds to produce a Folk and Ethnic Music Festival, in the amount of \$3,210.00 to be held in June and July, 1978. (City in-kind match of \$4,795 and \$3,000 from Parks and Recreation Department Operating Budget). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

MONEY FOR LIBRARY EXPENSES

Councilmember Snell moved that the Council adopt a resolution to approve an application for \$363,156 to cover expenses of the Central Texas Library System in the provision of materials and support services to member libraries, funded under the State Library Systems Act and the Federal Library Services and Construction Act, Title I. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

UNEMPLOYMENT COMPENSATION CLAIMS MANAGEMENT SERVICES

Councilmember Snell moved that the Council adopt a resolution to provide Unemployment Compensation Claims Management Services (Recommended R. E. Harrington, Inc., at \$1.75 per year per covered employee, 32 month agreement, estimated cost \$32,708.00) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

POLICY GUIDELINES - HOUSING PROGRAMS

Councilmember Snell moved that the Council adopt a resolution to approve Policy Guidelines, City of Austin Housing Programs administered by the Urban Renewal Agency of the City of Austin relative to Administration Acquisition - Rehabilitation, Relocation Assistance, Standard Rehabilitation Program and Emergency Repair Program. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

EMERGENCY ENERGY ASSISTANCE PROGRAM

Councilmember Snell moved that the Council adopt a resolution to authorize application and acceptance of an additional \$100,000 for the Emergency Energy Assistance Program. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

MHMR BOARD APPOINTMENT POSTPONED

Councilmember Snell moved that the Council postpone until May 25, 1978, confirmation of Travis County's appointment to the Board of Trustees for Austin-Travis County Mental Health and Mental Retardation. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

REROOFING MUNICIPAL BUILDING

Councilmember Snell moved that the Council adopt a resolution to select the architectural services of Wilson-Stoeltje-Martin for reroofing the Municipal Building, the Municipal Annex and the Personnel Building. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

MASSAGE BUSINESS ORDINANCE AMENDED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING THE CODE OF THE CITY OF AUSTIN OF 1967; PROVIDING THAT IT SHALL BE AN OFFENSE TO PRACTICE MASSAGE OR TO OFFER TO PRACTICE MASSAGE IN A MASSAGE BUSINESS ESTABLISHMENT WITHOUT FIRST HAVING OBTAINED A MASSAGER'S PERMIT; PROVIDING FOR SEVERABILITY; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

The ordinance was read the first time, and Councilmember Himmelblau moved that it be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan
Noes: Councilmember Goodman
Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been passed through its first reading only.

ZONING ORDINANCE - FIRST READING ONLY

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE NORTH 50 FEET OF LOT 2, BLOCK 1, OUTLOTS 72 AND 73, DIVISION E, DRISKILL AND RAINEY SUBDIVISION, LOCALLY KNOWN AS 64 EAST AVENUE, AND ALSO BOUNDED BY RAINEY STREET AND RIVER STREET; FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Austin Professional Audio, C14-78-027)

The ordinance was read the first time, and Councilmember Himmelblau moved that the ordinance be passed to its second reading. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Mayor McClellan
Noes: None
Abstain: Councilmember Snell
Absent: Councilmember Cooke, Mayor Pro Tem Trevino

The Mayor announced that the ordinance had been passed through its first reading only.

ZONING ORDINANCES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
TRACT 2, DRY CREEK SUBDIVISION, SECTION 2, SAVE AND EXCEPT THE SOUTH 14.5 FEET WHICH IS TO REMAIN ZONED INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT, LOCALLY KNOWN AS 3817-3825 DRY CREEK DRIVE; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "GR" GENERAL RETAIL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Hannah Williams, et al, C14-78-059)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan
Noes: None
Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

THE NORTH 91.83 FEET OF THE WEST 128.16 FEET, SAVE AND EXCEPT 28.32 FEET BY 55.05 FEET, OF OUTLOT 20, DIVISION E, LOCALLY KNOWN AS 1715-1721 WEST AVENUE AND 713-719 WEST 18TH STREET; FROM "B" RESIDENCE, SECOND HEIGHT AND AREA DISTRICT TO "O" OFFICE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Earl Howard, et al, C14-77-174)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 1.58-ACRE TRACT OF LAND, LOCALLY KNOWN AS THE REAR OF 8900 U.S. HIGHWAY 183; FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Chesapeake Southwestern, C14-78-045)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 2, H. B. EDWARDS RESUBDIVISION OF PARK OF LOT 31, LOCALLY KNOWN AS 4001 MANCHACA ROAD, FROM "A" RESIDENCE DISTRICT TO "O" OFFICE DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Greg W. and Jean M. Schnurr, C14-78-046)

Ord. No. 780311-H

Richard A. Haberman, Trustee
C14-78-050

E.2.d.1.

Caption goes here

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOTS 2 AND 3 FREEMAN SUBDIVISION, LOCALLY KNOWN AS 9700-9702 MIDDLE FISKVILLE ROAD, FROM INTERIM "AA" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Darle L. and Viola J. Nieneker, C14-78-049)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

A 12,034-SQUARE-FOOT TRACT OF LAND, LOCALLY KNOWN AS 3410-3412 OWEN AVENUE; FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (West 34th Street Corporation, C14-78-055)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

LOT 6, BLOCK 3 OF PLEASANT HILL SUBDIVISION, LOCALLY KNOWN AS 5300 HUMMINGBIRD LANE, FROM INTERIM "A" RESIDENCE, INTERIM FIRST HEIGHT AND AREA DISTRICT TO "A" RESIDENCE, FIRST HEIGHT AND AREA DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (First Austin Investment Realty, C14-78-043)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Mayor McClellan introduced the following ordinance:

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

Ord. No.
780311-H
E. 2. d. 1

750518-?

E.3.

Provident Development Co, et al.

C14-77-061

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Mayor McClellan introduced the following ordinance:

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:
THE SOUTH 155 FEET OF A 10.06-ACRE TRACT OF LAND, LOCALLY KNOWN AS 1600 PEYTON GIN ROAD (OLD ZIMMERMAN HOME); FROM "A" RESIDENCE DISTRICT TO "A-H" RESIDENCE-HISTORIC DISTRICT; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE. (Old Zimmerman Home, Settlement Club of Austin, Owner, C14h-78-036)

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

ZONING ORDINANCE POSTPONED

Mayor McClellan brought up the following ordinance for its third reading:

780518-?
E. 3.7
caption for here

The ordinance was read the third time and Councilmember Himmelblau moved that it be finally passed. The motion, seconded by Councilmember Mullen, failed to carry by the following vote:

Ayes: Councilmembers Goodman, Mullen, Mayor McClellan
Noes: Councilmember Himmelblau
Abstain: Councilmember Snell
Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the third reading had failed to carry.

Councilmember Mullen moved that the Council reconsider the motion. The motion to reconsider was seconded by Councilmember Snell, and showed the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,
Councilmember Goodman
Noes: None
Absent: Mayor Pro Tem Trevino, Councilmember Cooke

Councilmember Mullen moved that the Council postpone until May 18, 1978, the third reading of the ordinance covering the following change:

PROVIDENT DEVELOP-
MENT COMPANY, ET AL
By Robert L. Davis
C14-77-061

McCarty Lane and Old
Fredericksburg Road

From Interim "AA" 1st H&A
To "A" 1st, "LR" 1st, "O"
1st, "GR" 1st and "AA"
1st H&A

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan,
Councilmembers Goodman, Himmelblau

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

TASK FORCE REQUIREMENTS

Mayor McClellan introduced the following ordinance:

AN ORDINANCE PROVIDING THAT MEMBERS OF CITY TASK FORCES ARE NOT REQUIRED TO BE RESIDENTS OF THE CITY OF AUSTIN; PROVIDING THAT TASK FORCES SHALL ADHERE TO THE PROVISIONS OF THE TEXAS OPEN MEETINGS ACT; PROVIDING THAT MEMBERS OF TASK FORCES SHALL BE SUBJECT TO THE CITY UNIFORM MEETING ATTENDANCE RULES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

Councilmember Himmelblau moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

CLASS RECOGNIZED

Mayor McClellan called Council's and audience's attention to the presence of Travis Heights Sixth Grade Center class members who were attending the Council meeting.

PROVISION OF UTILITY SERVICE QUESTIONED

MRS. JUNE OLIVER, wife of Henry Winston Ault, representing Mr. Ault, his sisters and mother, Mrs. Opal Ault, discussed the City's failure to provide utility services to property annexed in 1973. She said the land in question lies east of Parker Lane, south of Metcalfe Drive and consists of 13 acres that is owned by the family, or two tracts out of about 160 acres which was annexed in 1973. She quoted from the Municipal Annexation Act, "from the effective date of this Act any City annexing of a particular area shall within three years of the effective date of such annexation provide or cause to be provided such area with governmental and proprietary services..." She said this has not happened because this land does not yet have utility services. She cited their struggle to obtain services and the amount of taxes which the family is paying to the City. She concluded that if they do not receive utility services they will not pay their taxes and will take the case to District Court. Mrs. Oliver said they will give the City one week to get together with them and try to really solve the problem with realistic plans and deadlines. If that doesn't come about, they are prepared to file a petition for dis-annexation.

Mr. Davidson, City Manager, asked Mr. Lillie, Director of Planning, to speak to the problem of providing sewer service. In addition, he said, he would be contacting the Aults within the next week to arrange a conference to discuss the availability and provisions of any additional service which ought to be provided.

Mr. Lillie told Council that they have been working with the Ault family for a number of years. The basic problem is that the property is land-locked. It does not have access to a publicly dedicated roadway. The street comes to the corner of the property but does not have access except by an undedicated trail. The utilities are not extended because the State law and the local statute require that a subdivision be filed and approved by the Planning Commission. In this case the subdivision cannot be filed because there is no roadway there for the subdivision to front to. Mr. Lillie said they have had contact with the property owners immediately to the south, and they have filed a zoning case on that property. He said they had contacted them yesterday to see about the possibility of extending Granada westerly, which would then provide access not only to the Ault property but to the other property to the west. When that occurs, the subdivision can be filed by the Ault family and will be processed in due course through the Planning Department and recorded. At that point in time, it would be possible for the City to extend its utilities to that property. Mr. Davidson reiterated that the issue here is not something that is merely a preference by the City...it is something that can either be provided by law or that cannot be provided in accordance with the law. And that is why, he said, "we need to be very careful about it." He said the City would have a meeting with the Aults and report back to Council.

MR. HENRY AULT appeared before Council to say that it seems to be the Planning Commission's view that this is an illegal type subdivision so that is why the utilities cannot be furnished. He asked Mr. Lillie if this is correct. Mr. Lillie said there was a property split that resulted in a 7.21 acre tract and a tract somewhat over 3.5 acres. And that split, he said, was an illegal split without benefit of subdivision, so there are two landlocked pieces of property now without access to a dedicated public roadway. Mr. Ault replied that the land was split in 1955 before it was in the City, but was in the ETJ (Extra-territorial jurisdiction) at that time. He said he does not think the City should annex property which is illegally divided. He thinks the City should legalize property when it annexes it, rather than penalize a citizen because he has illegal property. At the August 23, 1973, Council meeting, Mr. Ault said his father stood up and verbally told the Council he would dedicate the roadway for a street, and his statement, he said, is recorded on tape. Mr. Ault said he does not believe the City ever accepted the dedicated roadway legally, paperwise. Mayor McClellan commented that this is a complicated issue, she appreciates it being brought to Council's attention and thinks that with the City Attorney's office and the Planning Department, and City Manager working with the Ault family, there will be a full report on it for the Ault's and for the Council.

ARTS REPRESENTATION

MS. GLO DEAN GARDNER appeared before Council to discuss arts representation for the City of Austin. She is the Director of the Afro-American Players, Inc. After giving a brief history of the Afro-American Players and their accomplishments, she told Council that the group needs a permanent home where they can produce their plays and also want representation on the Arts Commission. She asked Council's help in providing these things. Mayor McClellan asked Ms. Gardner for a copy of her comments for the Council and Arts Commission. She said that after the issue has been digested and discussed, it will be back on the Agenda.

Councilmember Snell told Council he agrees with Ms. Gardner's remarks. Black representation is needed on the Arts Commission and a part of the downtown revitalization could be theatre for Black performers.

LEAGUE OF WOMEN VOTERS PUBLICATION

MS. MARILYN SIMPSON and MS. NANCY BENE, Citizen's Guide Editor and President, League of Women Voters of Austin, presented the latest League publication to members of the Council.

PUBLIC HEARING - LUMBERYARD LOUNGE

Mayor McClellan opened the public hearing on appeal of the following Planning Commission decision, which was continued from April 13, 1978:

Denying a Special Permit application of Wayne I. Dayton, Jr., C14p-76-021, from Daniel E. Thornton (Request for additions to the Lumberyard Lounge, 9200 Burnet Road.)

No one appeared to be heard and the applicant was not present.

Councilmember Snell moved that the Council postpone indefinitely the appeal of the Planning Commission decision denying a Special Permit application of Wayne I. Dayton, Jr., C14p-76-021, from Daniel E. Thornton. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmember Snell, Mayor McClellan, Councilmembers
Goodman, Himmelblau, Mullen

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

SAM BROWN PRESENTED KEY TO CITY

MR. JEFF FRIEDMAN, former Austin Mayor, was in the Council Chamber to introduce MR. SAM BROWN, who is the National Director of ACTION, and former Treasurer of the State of Colorado. Mayor McClellan and Councilmember Goodman presented Mr. Brown with honorary citizenship documentation and a key to the City of Austin. Mr. Brown thanked the Mayor and Council and City for the honors bestowed.

MOPAC DETENTION FACILITY

The Council had before it for consideration, under the Capital Improvements Program, the drainage improvements for the MoPac Detention Facility at Far West Boulevard from Great Northern Boulevard to Shoal Creek.

Mr. Charles Graves, Director of Engineering, reviewed the detention facility by means of slides. After looking at the slides, Mayor McClellan commented that, "what we have been shown will be an improvement and the neighborhood will get less water." She commented that there had been concern in the neighborhood about the detention facility.

MR. JOHN CARL, representing the neighborhood, appeared before Council to state that they had a meeting the night before with members of the City staff present, and appreciate the staff concern for what they feel is a serious problem. He said that they are in favor of the detention facility but feel it can be of a larger design in order to take care of the flooding of yards which they experience; which in turn brings in a tremendous amount of trash to their yards. It seems that over the years, people have dumped trash, grass clippings, etc., into the drainage easement and the problem is a difficult one for the homeowners to contend with. He said, "We do request that the holding project in the area be approved by the Council and be gotten under way. But we would like to make the notation of a possible forthcoming change order to provide for all the water to go into a detention system."

Mr. Davidson, City Manager, said, "Mayor, I have a suggestion to make which is not in line with the speaker's proposal. Like the speaker, we think the Council ought to award this project. It will have beneficial effects for many neighborhoods including this one. And I'm sure that even though he hasn't told me so that Mr. Graves has probably advised these property owners that after this project is constructed and while it is under construction, we're going to be monitoring the conditions within that particular channel very carefully. As a matter of fact, we'd be pleased to come back to the City Council with sort of a follow-up as to what actual effects have taken place in that channel as a result of this project. Mr. Graves and his staff while working with Mr. German, will be pleased in the future to make any additional recommendations as a result of this project, that we think would further benefit the problems that have been described. Therefore we suggest Council award the contract, but authorize us to continue a monitoring program and bring back a report at a later date."

Councilmember Mullen moved that the Council adopt a resolution to approve the following contract, and authorize the City Manager to monitor the situation and bring back a report of the detention facility to Council:

TERRY EDWARDS CONSTRUCTION
COMPANY

- CAPITAL IMPROVEMENTS PROGRAM -
Drainage Improvements MoPac
Detention Facility at Far West
Boulevard from Great Northern
Boulevard to Shoal Creek.
C.I.P. No. 78/07-05 - \$208,137.51

The motion was seconded by Councilmember Himmelblau.

Councilmember Goodman asked questions of Mr. Graves concerning the feasibility of the neighborhood request and there was a discussion of the pro's and con's.

MR. RAY RUSHING, a resident of the neighborhood, who lives at 3105 Pinecrest, appeared before Council to speak to the trash problem. He said that if the total flow of the creek that now exists is put through the proposed project, the local run-off will not carry trash from one yard to the other. This is not the case in the other blocks that run from Great Northern to Shoal Creek anywhere in their part of the neighborhood. He said if the total amount of water were diverted through on a flow-through basis, he understands the amount would be \$40,000. If the impoundment of all the water that goes through the present ditch was put through the project, the cost would be about \$70,000. He thought the latter would be the most sensible thing to do because it would impound the flood waters and benefit every property owner from their location all the way to the Colorado River.

Councilmember Goodman asked, "It says there are no funds available in the C.I.P. for the extra expense. Can you give me some explanation?" Mr. Davidson replied, "We had an amount of money set up for this project which did not anticipate the ability to include the additional diversion or improvements to any channel. More than that, we have some 108 miles of these waterways in Austin and we do rely pretty heavily in talking to citizens abutting waterways whether or not we have specific monies allocated by Council under the C.I.P. in the account. We get so many requests each year and that's why we also stick with this policy of where someone wants to enclose the ditch or fill in the ditch and put in a big pipe so they can cover it over, that's why we adhere to the policy of participating on a cost basis with the property owners, because we simply cannot offer that the City of Austin undertake the enclosure of all 108 miles without it being in the C.I.P. and there's no way to do that. So I refer to the fact that we did not anticipate this part of the project when we prepared the Capital Improvement Project. Councilmember Goodman asked if it would be a major problem if the Council later decided to provide the additional diversion asked for by the neighborhood. Mr. Graves answered, "If we chose to do that because we are able to provide additional area in the holding ponds at this time through excavation, the answer would be yes. If we have no more volume than we have calculated, if we are unable to create more volume, diverting more water to reduce the level of our detention, it would mean the water would rise over the spillway sooner and reduce the protection downstream." He said there would be a problem to expanding the depth because of the rock formations. There was further discussion on this situation. Mr. Graves said that spending \$70,000 would be desirable because it would give them more benefit in Shoal Creek. What they have been weighing this against is the limitation of funds on the other side of

MoPac where there is still a lot of detention to build and they want to be certain there are enough funds to be doing that or it is going to be coming across MoPac on the same people who are discussing this today. Mr. Graves went on to say the neighborhood is expecting benefits which would not accrue. They would still have a channel problem, and water flowing through rarely enough so they would not maintain their good looking lawns. He said there would be enough channel to take care of the heavy storm and so the channel would also take care of the small rains. He said if there should happen to be a 100-year storm, then everyone will have problems.

Councilmember Himmelblau questioned what part of the C.I.P. budget this is taken from. Mr. Graves referred the question to Mr. German, Director of Public Works, who said it was part of the MoPac Detention. She asked what is remaining in that category. Mr. German said, "We're using left-over money from MoPac right-of-way purchase to fund the detention ponds. There was an agreement between the City and the Highway Department that the City would buy the right-of-way and provide off-side drainage. Since the bond issue passed, the drainage issue has become much more critical." He said they had had about \$400,000.00 left-over right-of-way money. "This project will take about \$200,000 of that and the remainder will have to go toward the additional retention west of Oak Hollow and south of Spicewood Springs." Councilmember Himmelblau asked if the City was out of money for drainage and ponding in the general C.I.P. Mr. German answered, "We're getting toward the end of the 3-year bond program and all of those drainage funds are just about used up. We'll have to rely on additional bond authority in order to get into new and additional drainage projects."

Friendly Amendment

Councilmember Goodman offered a friendly amendment to have the City Manager assign appropriate departments the responsibility of checking out the trash situation immediately and handing out violations where appropriate.

Councilmember Mullen said he would accept the friendly amendment if there is any way to make it work. Mr. Rushing reappeared before Council to say that they have been told that in order to report violations, one has to be seen and filed. Mr. Davidson informed Council that what Mr. Rushing said is correct, but he will see to it that the City "beefs up" its efforts in eliminating the trash disposal problem. He reiterated that there must be witnesses to an offense and that if citizens would file charges, he did not think it would be long before the situation was cleared. Councilmember Mullen accepted the friendly amendment.

Roll Call on Motion with Friendly Amendment

Roll call on Councilmember Mullen's motion, Councilmember Himmelblau's second, to adopt a resolution to approve a contract to TERRY EDWARDS CONSTRUCTION COMPANY for drainage improvements, MoPac Detention Facility at Far West Boulevard from Great Northern Boulevard to Shoal Creek, CAPITAL IMPROVEMENTS PROGRAM No. 78/07-05 in the amount of \$208,137.51; and authorize the City Manager to monitor the situation and bring back a report of the detention facility to Council; and check the trash situation and any violation of same, showed the following vote:

Ayes: Mayor McClellan, Councilmembers Goodman, Himmelblau, Mullen, Snell

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

ON-GOING GOALS COMMITTEE

Mayor McClellan gave the following report on the official status of the On-Going Goals Committee and their charge:

"Citizen input and participation in all aspects of our City government are an integral part of what makes Austin a good place to live. Our citizen commissions and boards offer an organized way for professionals and citizens to work together. The specialization of these commissions--planning, transportation and environmental--offers the advantage of focused time and energy.

"The Comprehensive Plan from its beginnings in the Goals Program has been soundly based on citizen participation and input. Continuation of this participation and input can be maintained with the clarification of the On-Going Goals Committee's role, whose sole function relates to the Comprehensive Plan. It will assess the effects of the Comprehensive Plan, make recommendations regarding implementation and channel that information to the Planning Commission, the City Council and the community at large.

"This committee in cooperation with appropriate City departments will prepare the interim and comprehensive reports discussed in the Monitoring and Revision section of the Plan. This committee would also continue the evaluation of proposed CIP's for compliance with the Comprehensive Plan.

"Because of the uniqueness of the plan as exemplified in the Growth Management Process, public education is a vital part of its implementation. Public education can be effectively centered around preparation, reporting and use of the comprehensive and interim reports. Libraries, recreation and neighborhood centers and community schools are ideal places for regularly scheduled public information sessions. With this concerned group of citizens we can continue making Austin Tomorrow Goals today's realities."

Motion

Councilmember Goodman moved that the Council endorse the Comprehensive Plan of the On-Going Goals Committee. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor McClellan

Noes: None

Absent: Councilmember Cooke, Mayor Pro Tem Trevino

CITY'S BID PROCEDURES

Councilmembers Snell and Goodman discussed the City's bid procedures as they relate to minority and small businesses (bonding requirements) and the improvements that the Construction Advisory Committee might be able to make in this area.

Councilmember Snell said he had suggested this agenda item because he thinks the City is faced with the problem of trying to do something about small and/or minority businesses who would like to bid on certain items for the City, but because of the bonding method, they are not able to. He said this has been called to his attention by one of the Construction Advisory members. What he would like to see happen is for the Council to instruct the Construction Advisory Committee to work out a way that the small businesses and/or minority businesses could work out a way to obtain a bond so they could bid on projects which they now turn down because they have no way of coming up with the money for the bond.

Councilmember Goodman told Council, "The Chairman of the Construction Advisory Committee has been contacted and is receptive to Mr. Snell's recommendation, and they are eager to get on with the request."

Councilmember Snell moved that the Council refer the City's bid procedures as they relate to minority and small businesses (bonding procedures) to the Construction Advisory Committee for recommendations. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan
Noes: None
Absent: Mayor Pro Tem Trevino, Councilmember Cooke

CLARKSVILLE BUILDING PERMIT MORATORIUM

Mr. Lillie, Director of Planning, stated that Reverend Southerland of the Clarksville Community, who first addressed this issue to the Council, was not in the Council Chamber but had asked that Council declare a 60-day moratorium for the Clarksville area pending the Council's review of an amendment to the zoning ordinance that would require that all building permit activities in National Register Districts be reviewed and approved by the Landmark Commission prior to the issuing of permit. That ordinance, he said, was before Council in January and was referred back to the Planning Commission with instructions to send notices to property owners within the four National Registry Districts. About 600 notices were sent, the Planning Commission held a public hearing this past Tuesday (May 9, 1978) and are forwarding a recommendation to Council to amend the zoning ordinance, requiring permit activity to be reviewed by the Landmark Commission. Mr. Lillie said this item will be on Council's agenda next week to set a public hearing and about the earliest they can get to it is about mid-June, for the public hearing and ordinance. He said he believes Rev. Southerland's primary concern is the issuance of permits for new construction because the Clarksville Community is experiencing some rehabilitation programs under the HCD program and would prefer that they not be held up.

In answer to Councilmember Goodman's question to Mr. Lillie regarding his recommendation, Mr. Lillie replied, "I would support a temporary moratorium until the Council has acted on this ordinance, and I think 60 days is not unreasonable." Mr. Harris, City Attorney, asked if new building permits at the current time go through this same process. Mr. Lillie said, "Yes." He referred to a memo he had sent to the Council on the activity the Landmark Commission has been undertaking voluntarily over the last 15 months or so, in which building permit activity, not only new permits but demolitions and rehabilitation permits are reviewed by the Landmark Commission on a voluntary basis. He said the Commission meets either on the same day the department receives the request or on a called meeting, or if their regular meeting is close they schedule it on their agenda for consideration of these activities. Mr. Lillie pointed out that some 60 to 70 have been reviewed in the past 12 to 15 months. He feels that this activity can continue as long as the owners of the property are willing to voluntarily comply with the policy. It is the intent, however, of the Landmark and Planning Commissions to formalize that and require that these permits be reviewed by the Landmark Commission in the National Register Districts.

Councilmember Snell asked, "If we accept the 60 days and find out we don't need it, what can we do to change it?" Mr. Harris answered that to impose a moratorium Council will have to pass a formal resolution from the Legal Department. That would mean the resolution could be amended at any Council meeting.

Motion

Councilmember Goodman moved that the Council consider a resolution on May 18, 1978, concerning a moratorium for 60 days on new construction permits in Clarksville. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan,
Councilmember Goodman

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

REPORT ON BRACKENRIDGE OFFICE BUILDING

Mr. Davidson, City Manager, told Council that Councilmember Goodman has requested the report on the Brackenridge office building be postponed. He said the City is still in a position to proceed and are looking for any suggestions people might have to make the idea more valuable. Councilmember Goodman pointed out that Councilmembers received a letter from Hardin Associates, Inc., which is just an example of the reason why he had asked for postponement of this. The letter stated that there was not enough time, in the four weeks originally requested, to make an adequate proposal for such a comprehensive project. Mr. Goodman said that by postponing a decision at this time, Council will receive better and enhanced proposals. So, he said, there should be no great rush.

Mr. Davidson added that any communication which is received will be followed up on, so that the inquirers receive an adequate amount of information to enable them to submit a proposal. Councilmember Goodman told Council he feels there will be a substantial number of proposals, and a Brackenridge Hospital office building built by private individuals will eventually be a reality.

PUBLIC HEARING ON STREET VACATION

Mayor McClellan opened the public hearing scheduled for 11:30 a.m. on vacating the following and passage of Ordinance: (This public hearing was continued from May 4, 1978)

A portion of Street in the Buttermilk Park; being DELMAR AVENUE from 162.54' east of Bethune Avenue to 164.0' west of Meador Avenue, PROVIDENCE AVENUE from 250' north of Blackson Avenue to 300' south of Wheatly Avenue; MEADOR AVENUE from the north line of Blackson Avenue to 184.67' south of Delmar Avenue in A. K. Black Subdivision No. 2. (Requested by the City of Austin, Parks and Recreation Department)

No one appeared to be heard.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE VACATING AND PERPETUALLY CLOSING THOSE CERTAIN PORTIONS OF DELMAR AVENUE, PROVIDENCE AVENUE AND MEADOR AVENUE, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS; RETAINING AN EASEMENT IN THE CITY FOR DRAINAGE AND PUBLIC UTILITY PURPOSES; SUSPENDING THE RULE REQUIRING THE READING OF AN ORDINANCE ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Goodman moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Mullen, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Mayor McClellan, Councilmembers Goodman, Himmelblau

Noes: None

Absent: Mayor Pro Tem Trevino, Councilmember Cooke

The Mayor announced that the ordinance had been finally passed.

ADJOURNMENT

The Council adjourned its meeting at 11:30 a.m.

May 11, 1978

APPROVED

Casdy Ketton McClellan
Mayor

ATTEST:

Grace Monroe
City Clerk